

**REMARKS**

Applicants appreciate the Examiner's thorough consideration provided the present application. Claims 43-48 are now present in the application. Claim 43 has been amended. Claims 1-42 have been withdrawn and hereby cancelled. Claim 48 has been added. Claim 43 is independent. Reconsideration of this application, as amended, is respectfully requested.

**Claim Rejections Under 35 U.S.C. § 102**

Claims 43-47 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Iwanaga, U.S. Patent No. 5,739,946. This rejection is respectfully traversed.

In light of the foregoing amendments, Applicants respectfully submit that this rejection has been obviated and/or rendered moot. As the Examiner will note, independent claim 43 has been amended to recite a combination of elements including "a pair of substrates with a preset gap therebetween; a pair of conducting layers disposed on opposing surfaces of the substrates; a polymer-gel sheet of a first color disposed between the substrates, contacting no more than one of the substrates, having two fixed ends and a flexible center area; and a fluid layer of a second color between the substrates, displaying the second color via the substrate not contacting the polymer-gel sheet, wherein the center area of the polymer-gel sheet flexes toward the substrate originally not contacted thereby when an external electric field is applied, such that the first color of the polymer-gel sheet is displayed via the substrate after the polymer-gel sheet and the substrate make contact." Support for the amendments to claim 43 can be found on page 6, line 14 to page 7, line 18 of the specification as originally filed. Applicants respectfully submit that

the above combination of elements as set forth in amended independent claim 43 is not disclosed nor suggested by the reference relied on by the Examiner.

As embodied in FIG. 1 of the present application, a pair of transparent conducting layers 11, 21 is disposed between the substrate 10, 20 and the polymer-gel sheet, and the conducting layers 11, 21 are disposed on opposing surfaces of the substrates 10, 20.

Iwanaga in col. 9, lines 16-21 and FIG. 2 discloses an upper electrode 7 formed on the upper substrate 4 side of the side walls 2 and a lower electrode 6 formed on the substrate 1 side of the side walls 2. However, Iwanaga nowhere teaches or suggests that the electrodes can be formed on the substrates. Therefore, Iwanaga fails to teach "a pair of conducting layers disposed on opposing surfaces of the substrates;" as recited in claim 43.

In addition, since the conducting layers are designed to form on the opposing surfaces of the substrates, the distance between the polymer-gel sheet and the conducting layers in the present invention is smaller than that of Iwanaga. This shorter distance can improve the response time. Furthermore, the shorter distance can also reduce the volume changes percentage of polymer-gel sheet and further improve the contrast when a voltage is applied on the electrodes. Those features are clearly absent from Iwanaga.

Since Iwanaga fails to teach each and every limitation of amended independent claim 43, Applicants respectfully submit that claim 43 and its dependent claims clearly define over the teachings of claim Iwanaga. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 102 are respectfully requested.

### **Additional Claim**

Claim 48 has been added for the Examiner's consideration. Support for claim 48 can be found in FIG. 1 as originally filed. Applicants respectfully submit that claim 48 depend, either directly or indirectly, from independent claim 43, and are therefore allowable based on its dependence from independent claim 43, which is believed to be allowable. Favorable consideration and allowance of claim 48 are respectfully requested.

### **CONCLUSION**

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact Cheng-Kang (Greg) Hsu, Registration No. 61,007 at (703) 205-8000 in the Washington, D.C. area.

Application No.: 10/780,711  
Amendment dated August 4, 2008  
Reply to Office Acton of May 2, 2008

Docket No.: 0941-0919P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: August 4, 2008

Respectfully submitted,

By 

Paul C. Lewis

Registration No.: 43,368

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicants

